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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

KRISTIN K. MAYES - CHAIRMAN
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2010 DEC -1 P 3: 54

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE JOINT NOTICE AND) DOCKET NOS. T-01051B-10-0194
APPLICATION OF QWEST CORPORATION,) T-02811B-10-0194
QWEST COMMUNICATIONS COMPANY, LLC,) T-04190A-10-0194
QWEST LD CORP., EMBARQ) T-20443A-10-0194
COMMUNICATIONS, INC. D/B/A CENTURY) T-03555A-10-0194
LINK COMMUNICATIONS, EMBARQ) T-03902A-10-0194
PAYPHONE SERVICES, INC. D/B/A)
CENTURYLINK, AND CENTURYTEL)
SOLUTIONS, LLC FOR APPROVAL OF THE)
PROPOSED MERGER OF THEIR PARENT)
CORPORATIONS QWEST COMMUNICATIONS)
INTERNATIONAL INC. AND CENTURYTEL,)
INC.)

Arizona Corporation Commission

DOCKETED

DEC 1 2010

DOCKETED BY

**MOTION AND CONSENT OF MICHAEL W. PATTEN FOR
PRO HAC VICE ADMISSION OF GREGORY RONALD MERZ
ON BEHALF OF McLEODUSA TELECOMMUNICATIONS SERVICES dba
PAETEC BUSINESS SERVICES AND LEVEL 3 COMMUNICATIONS, LLC**

Pursuant to Rule 33(c) and (d) Rules of Supreme Court, Michael W. Patten moves the Arizona Corporation Commission to admit Gregory R. Merz as counsel pro hac vice in this action.

The following exhibits are attached here to pursuant to Rule 33(c) and (d):

1. The Original Verified Application;
2. The Certificate of Good Standing; and
3. The State Bar of Arizona Notice of Receipt.

The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Michael W. Patten hereby agrees to serve as designated local counsel for the above-captioned docket.

ROSHKA DEWULF & PATTEN, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 RESPECTFULLY SUBMITTED this 1st day of December 2010.

2 **ROSHKA DEWULF & PATTEN, PLC**

3
4
5 By 

6 Michael W. Patten
7 Roshka DeWulf & Patten, PLC
8 One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 8500

9 Counsel for McLeodUSA Telecommunications Services, Inc.
10 d/b/a PAETEC Business Services and Level 3
Communications, LLC

11
12 Original and 13 copies of the foregoing
13 filed this 1st day of December 2010 with:

14 Docket Control
15 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

16 Copy of the foregoing hand-
17 delivered/mailed this 1st day of December
2010 to:

18 Norman Curtright
19 Qwest Corporation
20 20 East Thomas Road, 16th Floor
Phoenix, Arizona 85012

21 Jeffrey W. Crockett
22 Bradley Carroll
23 Snell & Wilmer
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Phoenix, Arizona 85004

24 Kevin K. Zarling, Esq.
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- 10 Rex Knowles
Executive Director
11 XO Communications
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12 Midvale, Utah 84047
- 13 Katherine K. Mudge
DIECA Communications dba Covad
14 Communications Company
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15 7000 N. Mopac Expressway, 2d Floor
Austin, Texas 78731
- 16 Belinda Martin, Esq.
17 Administrative Law Judge
Hearing Division
18 Arizona Corporation Commission
1200 West Washington
19 Phoenix, Arizona 85007
- 20 Maureen A. Scott, Esq.
Legal Division
21 Arizona Corporation Commission
1200 West Washington
22 Phoenix, Arizona 85007
- 23 Steve Olea
Director, Utilities Division
24 Arizona Corporation Commission
1200 West Washington
25 Phoenix, Arizona 85007

26
27 By 

Arizona Corporation Commission

Joint Notice & Application of Qwest Corp for
Merger,
Plaintiff

v.

Defendant.

CASE # T01051B10-0194

SBA App #1005888

NOTICE OF RECEIPT OF COMPLETE
APPLICATION


NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Gregory Merz.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?
Eschelon Telecom of Arizona v Qwest Corporation ~CLOSED~	Arizona Corporation Commission	7/21/2006	Y
Complaint of Eschelon Telecom Of Arizona Inc v Against Qwest Corporation	Arizona Corporation Commission	7/21/2006	Y
In the matter of v Joint Notice and Application of Qwest Corporation	Arizona Corporation Commission	7/12/2010	Y

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

DATED this 29th day of November 2010


Ayde Gutierrez
Resource Center
State Bar of Arizona

Original Mailed on this 29th day of November 2010 to:

Michael W Patten
Roshka DeWulf & Patten PLC
400 E Van Buren Suite 800
One Arizona Center
Phoenix, AZ 85004-2262



Attn: Pro Hac Vice Dept
PO Box 53099
Phoenix, AZ 85072-3099
Phone: 602-340-7239

For Official Use Only

App# 1005888

Bar Number# P160723

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Gregory Merz

Firm/Company Name: Gray, Plant, Mooty

Office Address: 500 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402

Telephone: (612) 632-3257 Fax: (612) 632-4257 Email Address: Gregory.merz@gpmlaw.com

Residence Address: 3830 Girard Avenue N., Minneapolis, MN 55412

Title of cause or case where applicant seeks to appear: Joint Notice and Application of Qwest Corporation, Qwest Communications Company, LLC, Qwest LD Corp, Embarq Communications, Inc. dba Century Link Communications, Embarq Payphone Services, Inc. dba Century Link and CenturyLink Solutions, LLC for Approval of the Proposed Merger of their Parent Corporations Qwest Communications International Inc. and CenturyTel, Inc.

Docket Number: T-01051B-10-0194, T-02811B-10-0194, T-04190A-10-0194, T-20443A-10-0194, T-03555A-10-0194 and T-03902A-10-0194

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: PAETEC Business Services and Level 3 Communications, LLC

Pursuant to Arizona Supreme Court Rule 38(i)(3), the applicant shall complete the information below:

Courts to Which Applicant Has Been Admitted: (Attach additional pages if needed)	Date of Admission:	Bar Number:
<u>Please See attachment</u>		

☒ Applicant is a member in good standing in such courts.

☒ Applicant is not currently disbarred or suspended in any court.

Applicant is not currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under AZ ST S.Ct., Rule 38(a) in the following:

Title of Matter:	Docket #:	Court or Agency:	App Granted? (Y/N)
<u>Please see attachment</u>			

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4600

This case or cause is not a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# T-01051B-10-0194 et al.
for Integra Telecom

PART II: Local Counsel Information

Name of Arizona Local Counsel: Michael W. Patten

State Bar of Arizona Number: 009796

Address: One Arizona Center, 400 East Van Buren, Suite 800, Phoenix, Arizona 85004

Telephone: (602) 256-6100 Fax: (602) 256-6800 Email Address: mpatten@rdp-law.com

☒ Local Counsel is a member in good standing.

☒ Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

PART III: Parties and Certification

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>See Attachment</u>		
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

☒ Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

☒ Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF MINNESOTA
County of Hennepin ss.

I, Gregory R. Mern, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 11/19/10

Applicant's Signature: [Signature]

SUBSCRIBED AND SWORN TO before me this 19th day of November 2010, by

Gregory R Mern
Name of Applicant

[Signature]
Notary Public

I am a member in good standing and eligible to practice before the following courts:

Title of Court	Date Admitted
Minnesota State Court (MN Attorney Registration No. 185942)	October 16, 1987
U.S. District Court, District of Minnesota	February 22, 1988
8 th Circuit Court of Appeals	1991
U.S. Court of Appeals 5 th Circuit	February 13, 2002
U.S. Supreme Court	December 8, 2003

GP:2712154 v1

Title	Docket No.	Court or Agency	App Granted? Y/N
In the Matter of the Petition of Eschelon Telecom of Arizona, Inc. for Arbitration with Qwest Corporation, Pursuant to 47 U.S.C. 252 of the Federal Telecommunications Act of 1996	T-03406A-06-0572 T-01051B-06-0572	Before the Arizona Corporation Commission Proceedings in Arbitration	Yes
In the Matter of the Complaint of Eschelon Telecom of Arizona, Inc. Against Qwest Corporation	T-01051B-06-0257 T-03406A-06-0257	Before the Arizona Corporation Commission	Yes
Qwest Corporation v. Arizona Corporation Commission, et al.	08-CV-2374	In the United States District Court – District of Arizona	Yes

GP:2884792 v1

LIST OF COUNSEL OF RECORD

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80 South Eighth Street
Minneapolis, Minnesota 55402
Attorney for Integra Telecom

STATE OF MINNESOTA
IN SUPREME COURT

Certificate of Good Standing

This is to certify that the following lawyer is in good standing.

GREGORY RONALD MERZ

was duly admitted to practice as a lawyer and counselor at law in all the courts of this state on

October 16, 1987

Given under my hand and seal of this court on

November 15, 2010

Frederick K. Gritner

Frederick K. Gritner
Clerk of Appellate Courts

